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EVANS & PETREE

A PROFESSIONAL ASSOCIATION

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2003 JUL 14 PM 3:58

T.R.A. DOCKET ROOM

GUILFORD F. THORNTON, JR.
GTHORNTON@STOKESBARTHOLOMEW.COM

DIRECT DIAL: (615) 259-1492
DIRECT FAX: (615) 687-1507

July 14, 2003

VIA HAND DELIVERY

Mr. Joe Werner
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

RE: Complaint of Citizens Telecommunications Company of Tennessee, LLC against
Ben Lomand Communications, Inc.
TRA Docket No. 03-00331

Dear Mr. Werner:

This firm represents Citizens Telecommunications Company of Tennessee, LLC ("Citizens") in the above referenced matter. The purpose of this letter is to respond, on behalf of Citizens, to your letter of July 2, 2003 requesting certain information related to this case.

Citizens is happy to provide whatever information the Authority staff would find helpful in advising the Directors as to the merits of this case. We hope you find our answers below, prepared by Mike Swatts, to be responsive.

We hope that the Authority will convene a contested case in this matter in the near future. In light of the Directors' decision last week to hold in abeyance Citizens' petition in Docket No. 03-00211, we are concerned the Authority may contemplate delaying consideration of the allegations contained in Citizens' complaint in this matter. As I have testified before the Directors, Citizens would welcome the consolidation of this case (Docket 03-00331) with BLC's complaint against Citizens (Docket No. 02-01221).

Turning now to your specific inquiries:

1) Provide specific examples, including customer names, of non-tariffed special promotions offered to customers and potential customers in the Sparta and McMinnville areas.

Since the time BLC began offering service in Citizens' service territory in early 2000, Citizens has monitored filings at the TRA related to special promotions. It is Citizens' understanding that BLC, like Citizens, must gain approval from the TRA before offering any special promotion such as a waiver of Non Recurring Charges (NRC). In BLC's initial mailing to our McMinnville and Sparta customer base in early 2000, the postage paid business reply card (Exhibit #1) indicated, "There will be No Charge to change to us or to add a new line at this time." This mailing implies that all related installation charges were being waived. However, Citizens saw no evidence of a BLC filing with the TRA for approval to waive NRCs.

Attached are examples of subsequent special promotions (Exhibit 2) offered by Ben Lomand. Although the examples are not specific to McMinnville or Sparta, our employees determined through calls to BLC's business office that these promotions were, in fact, extended to BLC customers in McMinnville and Sparta. Those employees have signed affidavits (Exhibit 3) attesting to the fact that this information was relayed to them by BLC customer contact representatives on more than one occasion.

It was not until after Citizens filed its complaint on 5/8/03, against BLC that BLC filed a "Summer Waiver 2003 Program Promotion" request with the TRA to become effective 7/1/03 under tariff number 2003696 (Exhibit 4). Citizens has reason to believe this is BLC's first special promotion filing at the TRA since it entered the McMinnville/Sparta market even though it has offered numerous and ongoing special promotions to customers.

BLC's failure to comply with TRA requirements has resulted in a distinct competitive disadvantage to Citizens. Each special promotion offered by Citizens was filed with the TRA giving BLC 30 days advance notice that we were offering a special promotion. However, BLC engaged in offering special promotions without Citizens having the same advance notice or the TRA having knowledge of the promotion.

Since the TRA has not yet convened a contested case regarding Citizens' complaint against BLC, Citizens does not have the ability to seek discovery regarding unauthorized special promotions. However, Citizens feels that such discovery would produce the specific examples and numerous instances where BLC has failed to seek proper advanced approval for special promotions it has conducted over the past several years in McMinnville and Sparta.

2) Provide specific examples of situations where, without permission, BLC used Citizens drop wire and cabling to provide service to a customer. Include dates, locations and customer name in specific incidents as well as a discussion of steps taken by the two parties to remedy the situation.

On March 14, 2002, Citizens met with BLC representatives regarding this issue. BLC failed to take any corrective action or provide a response. On May 2, 2002, Citizens notified

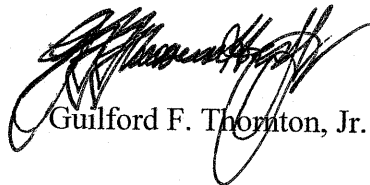
BLC's Legal Department in writing (Exhibit 5) that BLC was engaging in various activities which constituted willful and intentional trespass. The letter also demanded that BLC immediately cease and desist these activities. On May 22, 2002, Citizens received a letter from BLC's legal counsel indicating "we are convinced that BLC's practices and actions are in compliance with all applicable rules, regulations and law." The letter further stated that "the claims and allegations that have been made by ...are most likely reflective of the competitive pressures on individual operating personnel [Citizens employees] who may not be familiar with the applicable FCC rules and the relevant sections of the interconnection agreement." The letter went on to state "that the claims made by Citizens constitute harassment intended to distract BLC's resources from its competitive endeavor." Citizens did not respond to the letter because it was obvious that resolution would have to come from an independent third party whether it be the TRA or the courts.

Exhibit 6 provides specific locations where BLC has engaged in this unlawful activity.

In BLC's June 11, 2003, Answer and Motion to Dismiss, they pointed out two instances where Citizens had used the property of BLC. This was the first time these issues were brought to Citizens' attention. Citizens has since corrected those two situations. Citizens is requesting that BLC make corresponding corrections.

Should you have any questions or require anything further at this time, please do not hesitate to contact me.

Sincerely,



Guilford F. Thornton, Jr.

cc: Gregg Sayre
Mike Swatts
H. LaDon Baltimore

Mr Thomas Rhea
Rhea Motors
204 W Morford St
Mc Minnville TN 37110-2528

PRE-SORTED
FIRST CLASS
POSTAGE
PAID
Permit #204
McMinnville,
TN 37110

Ben Lomand Communications, Inc.
P. O. Box 4262
McMinnville, TN 37111-0638
ADDRESS SERVICE REQUESTED

☐ **YES!** I want *BLC, Inc.* to be my local telephone company.

1. Signed: _____
NAME OF PERSON IN CHARGE OF THE BELOW LISTED NUMBERS _____ DATE _____
 Street Address _____
 2. I have _____ telephone line(s). (Don't forget lines for fax, modems, computers, etc.)

3. My telephone number(s): _____

PLEASE CHECK THE APPROPRIATE ANSWERS BELOW.

4. My telephone number(s) are ☐ published or ☐ non-published.

5. I want to keep the same telephone number(s). ☐ Yes ☐ No ☐ Doesn't matter

6. The telephone wires to my building are:
☐ Aerial (overhead) or ☐ Buried (underground).

7. ☐ Send me the necessary forms to sign to change to BLC, Inc.

8. ☐ I have questions. Call me before you install the telephone wires.

[Illegible handwritten text]

Ben Leonard Communications, Inc.
P.O. Box 8262
McMinnville, TN 37111-9931

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 9931 McMINNVILLE, TN

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

Ben Lomand Communications, Inc. is in the final stage of construction of an all-new telephone system to provide local service to our friends in the city. We are ready to put up the cables from the poles to each business or residence. The residential base rate will be \$9.70* and standard business rate is \$25.00*. There will be No Charge to change to us or to add a new line at this time. ***We want you to be our customer!*** If you want BLC local telephone service...

If you want BLC local telephone service, please answer the few questions on the attached card, sign your name, and mail it back to us. *(The postage is prepaid.)* If you say yes, employees of either *BLC, Inc.* or Driftwood Construction Co. will install the line from the pole to your building within the next few weeks. An employee of *BLC, Inc.* will return later to make the actual connection to *BLC, Inc.* service. This card is for construction purposes only.

This card is for construction permission only. To make the change from your current local telephone company, your signature will be needed on additional forms at a later time. If you want us to mail you the forms, simply check the proper place on the card or come by and sign the forms at any of our three offices:

- 1111 Smithville Hwy., Smithville, MO 64089

- 1111 Smithville Hwy. next to the Waffle House
- Cumberland Plaza Shopping Center (old Wal-Mart) next to ACE TV Rentals
- Ben Lomand Telephone Cooperative at 311 N. Chancery St.

(If you have any questions, please call us at 507-0581.)

For your convenience our offices will be open extended hours. Hours are 7:00 a.m. until 6:00 p.m. Monday through Friday, and 8:00 a.m. until 12:00 noon on Saturdays.

*Rates are for basic service. Eligible lifetime credits do not include equipment, station wire, access or 911 charges, etc.

Market to Nitrogen Customers -

01-05-00 13:47 CITIZENS COMMUNICATIONS 0404004040404040404

ID=9315280604

This holiday season, sign up for Ben Lomand Internet service. Whether it's basic or unlimited dial-up Internet or the high speed Firewire DSL, we have the right Internet option for you! Sign up during December and receive a holiday discount on Internet Installation.

***FIREWIRE* DSL**

Ben Lomand Dial-Up Service

Choose our Unlimited Plan for \$19.95 per month and never worry about how long you or your family have been surfing. If you need less surfing time then choose the Basic Plan and receive 15 hours for a low \$11.95 per month.

Ben Lomand Firewire DSL

High speed Firewire DSL (*DIGITAL SUBSCRIBER LINE*) service is available in all areas. It's an always-on connection. No more "connect to" screens. Do it better and do it faster with Firewire DSL. Monthly price is \$44.90* including Internet with 15 hours of dial up service.

**DSL equipment not included in monthly price. Installation may be waived by signing 1 year contract.*

SAVE

SIGN UP BEFORE DEC 31st
AND SAVE \$10.00

\$10.00



Sign up for Ben Lomand Dial-up Internet by December 31st and save \$10.00. Pay only \$15.95 for installation!

*Finally,
Give Your
Family A Gift
They Can Enjoy
Everyday!*

Ben Lomand

McMinnville - 668-4131
Tracy City - 592-2121
Sparta - 738-2201
Spencer - 946-2029
www.blomand.net

2 1
32 95
11 95
9.70
54.60

Get more with Ben Lomand Internet

- Monthly E-newsletter featuring: ★ Virus/Hoax alerts
★ How-to tips ★ Interesting and Informative links
- A Postini Filter that will stop harmful viruses and unwanted spam emails
- Electronic Safety Deposit Box that includes 5MB of offsite storage space
- Free Webspace with each account for personal use

For the following additional Internet services available - call our local office or log on to our website for detailed information and pricing at www.blomand.net

- E-Classroom - over 400 classes available on-line
- Email Only Accounts
- Static IP Addresses
- Roaming and 800 Number access
- Web Hosting and Web Design
- Content Filtering - prevent access to sites with inappropriate content

**SAVE
ANOTHER
\$5.95**

Sign up for Ben Lomand Dial-up Internet by December 31st and Save \$10.00 on Installation. Bring this Coupon and Receive An Additional \$5.95 Off. Total Savings of \$15.95. Hurry, Offer Expires December 31, 2002.

CAN NOT BE COMBINED WITH ANY OTHER DISCOUNT OFFER.



I Have A Package...

JUST FOR YOU!



- EXTREME ID
- BUSY PHONE
- THE WORKS
- AUTO PACKAGE
- TOTAL REJECTION
- TEEN CHAT
- TELEMARKETER CALL SCREENING

www.blomand.net

Ben **Lomand**
TELEPHONE CONSULTANT

SAVE \$12.00
ON
INSTALLATION
IN JUNE!

JUNE SPECIAL— \$10.00
INTERNET INSTALLATION
SAVE \$15.95 !

WEB PAGE DESIGN

**VIRUS & SPAM
FILTER**

E CLASSROOM



FAMILY PLANS

E-NEWSLETTER

COMMUNITY HOMEPAGE

Ben
Comand

www.blomand.net

TELEPHONE CONSULTATION

Free Installation

BLC wants to be your **1st choice** for local and long distance telephone service.

So, until July 1, 2003, BLC is offering FREE INSTALLATION to Sparta City Customers on any Basic Telephone Line--a savings of \$55.00 for residential and \$65.00 for business!

FREE INSTALLATION on all calling features, including VOICE MAIL!

In addition to affordable local service, BLC offers super long distance plans. Having everything on one bill is simply a plus. So is the customer service you'll find at BLC.



Stop by and see Lisa & Faye at the Sparta Office. Be sure to sign up for new service with free installation today!



Local Service...
Plus A Whole Lot More...
837-0581

BLC local service available in cities of McMinnville and Sparta Only.

Val. 1 - Lory Shockey, "It's your birthday so have a good one; you are a new year gift to all of us," love you, Lesa, Charlotte, David, Layne, Karla, Keri, Don, April, B.J., Derek, Desarae and Grammy.
Jan. 4 - Bob Bradford, "Happy birthday to a very special person; I love you very much," Judy McGlothlen.
Jan. 4 - Jeremy Basham, "Happy 22nd birthday, love Mom, Dad, Shawn, Perry and Ben.
Jan. 5 - Rose, "Happy birthday to my beautiful wife whom I love very much," your husband, Brett Terton.
Jan. 6 - Brooke Bass, "Happy birthday from all your friends in McMinnville who love you."
Jan. 6 - Brooke Bass, "Happy birthday to my friends in McMinnville who love you."



3C Jan 5th Sunday

Sunday, January 5, 2003

Southern  Standard

Busi:

BUSY PHONE??

Ben Lomand Telephone has the SOLUTION!

Try our Calling Feature
Package which includes:

- ✓ Caller ID Name & Number
- ✓ Call Waiting
- ✓ Basic Voicemail

- Callers can leave messages for you when you can't (or don't want to) answer your calls.
- Answer the second incoming call when you hear the call waiting tone or allow the second caller to leave a message to be retrieved later.

ALL FOR ONLY \$10.25 a month!
(SAVE \$4.25/mo)
PLUS
FREE INSTALLATION
during January SAVE \$12.00

- Charm & Beauty
- City Drug
- Collection Frame Shop
- Collection-Visior Beauty
- Cumberland Bar
- Diamond Jewelry
- Evans Studios
- Expressions in Flc Design
- Fantastic Sams
- First National Bar
- Flower Basket
- Flowers & Ceram
- Frame Peddler
- Fred's
- Friedman's
- JCPenney
- King's Den
- Kroger
- Lifeline Books
- Magnolia Tree Flowers
- McMinnville Dru Center
- McMinnville Flov Shop
- Nail Time
- National Diamon
- Party & More
- Party & Novelty
- Ryan's

Order Today!
931-668-4131

Ben Lomand
TELEPHONE COMPANY

Two Lines are Better than One!



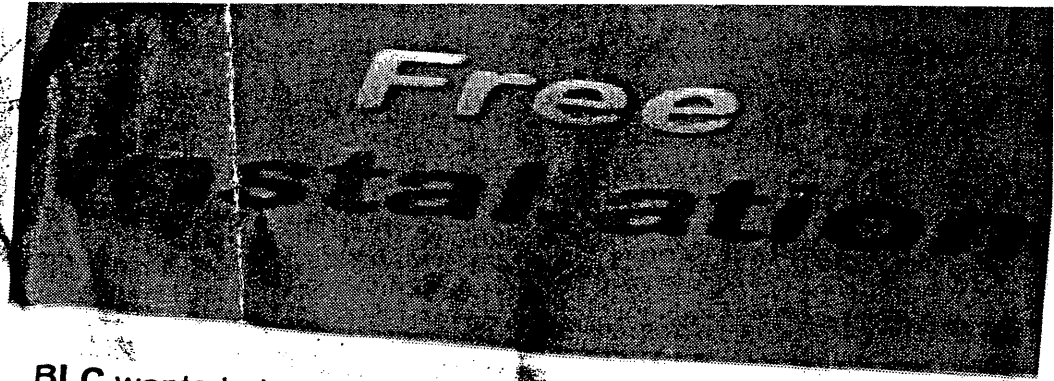
*Get a
second line
installed for
with 12-month
contract.*

If you've got a computer, fax machine or a family who loves to talk on the phone, now is the time to install a second line. Do it before October 31, 2002 and you'll save \$53.00.

*Don't Miss this Great Offer!
Ask Us for Details...*

Ben Lomand
TELEPHONE SERVICE

File
M. K. Swatts
Review
alex
5-12-03



BLC wants to be your 1st choice for local and long distance telephone service.

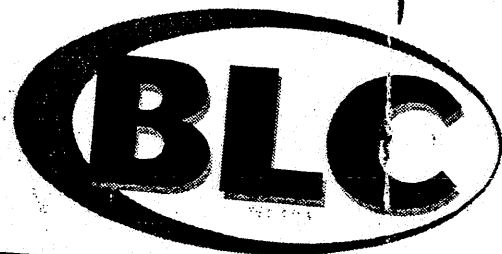
So, until July 1, 2003, BLC is offering **FREE INSTALLATION** to McMinnville City Customers on any Basic Telephone Line—a savings of \$55.00 for residential and \$65.00 for business!

FREE INSTALLATION on all calling features, including VOICE MAIL!

In addition to affordable local service, BLC offers super long distance plans. Having everything on one bill is simply a plus. So is the customer service you'll find at BLC.



Stop by and see Gina at 1111 Smithville Hwy. Be sure to sign up for new service with free installation today!



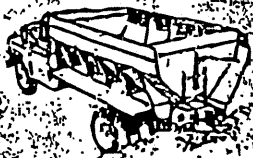
Local Service...
Plus A Whole Lot More...
507-0581


FERTILIZE & SEED

PURINA
CHOWS

NOW SPREADING
LIME

CALL 668-4101





AMERICAN CONFERENCE							NATIONAL CONFERENCE						
Team	W	L	T	Pct	PF	PA	Team	W	L	T	Pct	PF	PA
Atlanta	1	4	0	.200	158	98	N.Y. Giants	3	2	0	.600	76	81
Buffalo	2	3	0	.400	142	106	Philadelphia	3	2	0	.600	165	92
Cincinnati	1	4	0	.200	163	180	Washington	2	2	0	.500	70	94
Cleveland	1	4	0	.200	75	182	Dallas	2	3	0	.400	74	107
Indianapolis	3	1	0	.750	82	70	South	W	L	T	Pct	PF	PA
Jacksonville	3	1	0	.750	104	72	New Orleans	4	1	0	.800	143	118
Kansas City	1	4	0	.200	72	92	Tampa Bay	4	1	0	.800	126	59
Los Angeles	1	4	0	.200	107	159	Carolina	3	2	0	.600	88	61
Minnesota	1	4	0	.200	75	98	Atlanta	1	4	0	.250	83	74
New England	3	1	0	.750	104	72	North	W	L	T	Pct	PF	PA
New York Jets	1	4	0	.200	75	98	Green Bay	4	1	0	.800	145	135
Oakland	1	4	0	.200	75	98	Chicago	2	3	0	.400	112	132
Pittsburgh	1	4	0	.200	75	98	Detroit	1	3	0	.250	85	139
San Francisco	3	1	0	.750	104	72	Minnesota	0	4	0	.000	89	141
Tennessee	1	4	0	.200	75	98	WestW	1	4	0	.200	89	141
Washington	2	3	0	.400	142	106	San Francisco	3	2	0	.600	87	80
Denver	1	4	0	.200	75	98	Arizona	3	2	0	.600	89	87
San Diego	1	4	0	.200	75	98	Seattle	1	3	0	.250	84	87
San Francisco	3	1	0	.750	104	72	St. Louis	0	5	0	.000	74	125

ST. LOUIS (AP) — On a its worst start in nearly four Rams running back Marsha didn't care to discuss it v caster Bob Costas came to t During a Monday taping "Inside the NFL" program abruptly ended an interview being questioned about the the St. Louis Post-Dispatch re its Web site Friday.

During the taping that al Rams quarterback Kurt managed to get a few short before asking him, "You've 5 that by consensus was th ball. ... Something's got to you think it is?"

Faulk's reply: "Don't kno it." When Costas pressed becoming more involved in Rams' 37-13 loss the pre Francisco — Faulk ran 18 tir had seven catches for 37 ya with his hands as if calling "I can't do this, Bob," standing up, removing hi leaving.

Faulk later did not want t

Two Lines are Better than One!



Get a Second Line Installed FREE
when you sign a 12-month contract.

A \$53.00 Value! (Home or Small Business)

If you've got a computer, fax machine or a family who loves to talk on the phone, now is the time to install a second line. Do it before October 31, 2002 and you'll save \$53.00.

Don't Miss this Great Offer!
931-668-4131

Ben Lomand

Buy Get 1 Free



Applie
Champi
Replac
Windo
Patio R

VINYL

FACTORY DIR

Champion

WINDOWS • SIDING

www.championwindo

Discounts apply to our regular prices. Prices i

Southern Standard 6-B 10/13/02

Free Installation

BLC wants to be your 1st choice for local and long distance telephone service.

So, until July 1, 2003, BLC is offering FREE INSTALLATION to McMinnville City Customers on any Basic Telephone Line--a savings of \$55.00 for residential and \$65.00 for business!

FREE INSTALLATION on all calling features, including VOICE MAIL!

In addition to affordable local service, BLC offers super long distance plans. Having everything on one bill is simply a plus. So is the customer service you'll find at BLC.



Stop by and see Heather at 311 N. Chancery Street. Be sure to sign up for new service with free installation today!



Local Service...
Plus A Whole Lot More...
507-0581

BLC local service available in cities of McMinnville and Sparta Only.

*Southern Standard
May 18, 2003*

PUNCH IT MARGARET!

High Speed Internet
No Time Limits

PROMOTION EXTENDED!

Sign up for

FIREWIRE DSL

by December 31st and you will receive:

FREE installation w/12 month contract

DSL equipment as low as \$9/month for 12 months

FREE installation of Internet with DSL

Ben
Lomand

We're Taking You Places!



AFFIDAVIT

STATE OF TENNESSEE)
) ss.:
COUNTY OF PUTNAM)

The Undersigned, being duly sworn, deposes and says:

1. I, JOHN BAYLESS, am LOCAL MANAGER of Citizens Telecommunications Company of Tennessee, LLC (the "Company"), a limited liability company that is duly organized and validly existing under the laws of Tennessee and qualified to do business in said state as a local exchange telecommunications carrier.

2. During the month of OCTOBER I contacted the Ben Lomand Communications (BLC) business office in McMinnville, Tennessee to inquire about special promotions being offered to customers of BLC. I was told by BLC's representative that special promotions are available to BLC's Competitive Local Exchange Carrier customers in McMinnville and Sparta.

John Bayless

Subscribed and sworn to
before me this 25th day of
October, 2002.

Donald Lewis Smith
Notary Public

Exp July 19, 2005

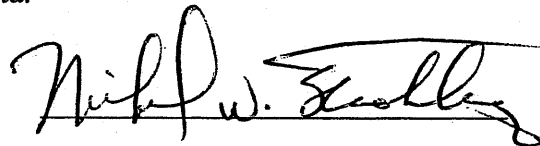
AFFIDAVIT

STATE OF TENNESSEE)
) ss.:
COUNTY OF Putnam)

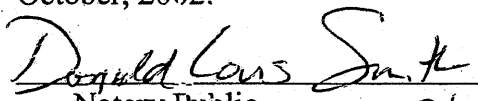
The Undersigned, being duly sworn, deposes and says:

1. I, MIKE STEAKLEY am DIRECTOR of Citizens Telecommunications Company of Tennessee, LLC (the "Company"), a limited liability company that is duly organized and validly existing under the laws of Tennessee and qualified to do business in said state as a local exchange telecommunications carrier.

2. During the month of OCTOBER I contacted the Ben Lomand Communications (BLC) business office in McMinnville, Tennessee to inquire about special promotions being offered to customers of BLC. I was told by BLC's representative that special promotions are available to BLC's Competitive Local Exchange Carrier customers in McMinnville and Sparta.



Subscribed and sworn to
before me this 23 day of
October, 2002.


Notary Public Expires July 19, 2005

AFFIDAVIT

STATE OF TENNESSEE)
) ss.:
COUNTY OF Union)

The Undersigned, being duly sworn, deposes and says:

1. I, Doreen Williams CSR of Citizens Telecommunications Company of Tennessee, LLC (the "Company"), a limited liability company that is duly organized and validly existing under the laws of Tennessee and qualified to do business in said state as a local exchange telecommunications carrier.

2. During the month of October I contacted the Ben Lomand Communications (BLC) business office in McMinnville, Tennessee to inquire about special promotions being offered to customers of BLC. I was told by BLC's representative that special promotions are available to BLC's Competitive Local Exchange Carrier customers in McMinnville and Sparta.

Doreen Williams

Subscribed and sworn to
before me this 22nd day of
October, 2002.

Beth R. Myers
Notary Public

EXHIBIT 4

7

Tariff Information Report

01-Jul-2003

Tariff Number	Docket Number	Company Name	Date Proposed	Caption	Comments
2003694		XO Tennessee, Inc.	06/30/2003	TARIFF TO EXTEND THE CONTRACT RENEWAL PROMOTION	
2003695		AT&T Communications (IXC)	06/30/2003	TARIFF TO EXTEND 2 PROMOTION ENROLLMENT DATES AND MAKE TEXT CHANGES	
2003696		Ben Lomand Communications, Inc.	07/01/2003	SUMMER WAIVER 2003 PROGRAM PROMOTION	
2003697		BellSouth Telecommunications, Inc.	06/30/2003	PROMOTION TO INTRODUCE UPGRADE TO COMPLETE CHOICE PROGRAM	PROMOTION 6/30/03 THRU 9/30/03
2003698		BellSouth Telecommunications, Inc.	06/30/2003	PROMOTION FOR ANY CUSTOMER SUBSCRIBING TO NEW LOCAL SERVICE AND PURCHASING BASIC	PROMOTION 6/30/03 THRU 09/27/03
2003699		BellSouth Telecommunications, Inc.	06/27/2003	PROMOTION TO EXTEND \$25 PREFERRED PACK CASH BACK	PROMOTION THRU 8/31/03
2003700		BellSouth Telecommunications, Inc.	07/29/2003	TARIFF TO INTRODUCE THE SIMPLE SAVINGS PROMOTION	
2003701		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR INFLOW, INC. TN03-4074-02	NMLI, 24 months
2003702		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR CHATTANOOGA HEART INSTITUTE TN03-9403-00	MegaLink service, 36 months
2003703		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR AIRCRAFT INTERIOR TN03-9144-00	Integrated T-1, 36 months
2003704		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR WAYNE BOYKIN AND ASSOCIATES TN03-A009-00	Integrated T-1, 36 months
2003705		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR ANDERSON SMARTRing service, 37 NEWS TN03-A017-02	months
2003706		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR BACIISTEIN & DUDLEY MANAGEMENT TN03-7985-01	Integrated T-1, 36 months
2003707		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR ALLIED INDUSTRIAL INC. TN03-1472-00	Integrated T-1, 36 months
2003708		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR TRM ATM CORP. SC 03-3688-C1	12% discount on eligible tariffed services in sections A3 and A13, 24 months
2003709		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR AMERICAN YEAST CORPORATION TN03-A401-00	Integrated T-1, 36 months
2003710		United Telephone-Southeast, Inc.	07/30/2003	TARIFF TO INTRODUCE SAFE AND SOUND II SOLUTION	
2003711		BellSouth Telecommunications, Inc.		SPECIAL CONTRACT FOR CUMBERLAND STADIUM, L.P. TN03-7013-00	PRI ISDN, 24 months



www.FrontierCorp.com

RECEIVED

MAY 21 2002

CITIZENS TELECOM

EXHIBIT 5

Tel: 585.777.7270

Fax: 585.263.9986

gregg_sayre@frontiercorp.com

May 2, 2002

Legal Department
Ben Lomand Communications, Inc.
1111 Smithville Hwy
McMinnville, TN 37111

RE: Unlawful Trespass

Dear Sir or Madam:

I represent Citizens Telecommunications Company of Tennessee, LLC. It has come to our attention that Ben Lomand Communications is engaging in the following activities:

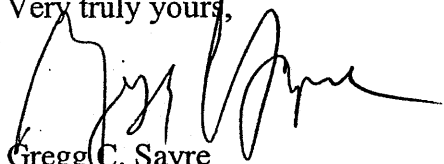
- Disconnecting, splicing into and misappropriation of our entrance cable and all our terminal block, wire and other equipment at the location of the building terminal in a business building complex.
- Disconnecting, splicing into and misappropriation of our drop wires to serve multiple residential customers.
- Disconnecting, splicing into and misappropriation of our underground drop wire serving a business customer.
- Misappropriation of our house cable in a shopping center on the telephone company side of the relevant network demarcation points.

We believe that these activities constitute willful and intentional trespass and conversion. In none of these cases has BLC asked for permission, offered compensation or in any way offered any justification whatsoever for its flagrant disregard of Citizens' property rights.

Frontier met with Ben Lomand representatives on March 14 to bring this matter to your attention. We were hopeful you would take immediate remedial action. However, after six weeks Ben Lomand has taken no corrective action or provided any feedback to us. We are disappointed that Ben Lomand has not been more responsive to what we consider a very serious violation of property rights.

This letter is demand that BLC immediately cease and desist these activities. In particular, Citizens demands that BLC immediately cease use of Citizens' network facilities and return these facilities to Citizens' use and control. If this situation is not corrected within 30 days, we reserve our rights to initiate regulatory and/or civil proceedings against BLC including, where appropriate, the imposition of significant punitive damages for willful misconduct.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gregg C. Sayre", written over the typed name.

Gregg C. Sayre
Associate General Counsel –
Eastern Region

GCS: hmj

KRASKIN, LESSE & COSSON, LLP
 ATTORNEYS AT LAW
 2120 L Street, N.W., Suite 520
 Washington, D.C. 20037

TELEPHONE (202) 296-8890

TELECOPIER (202) 296-8893

May 22, 2002

Mr. Gregg C. Sayre
 Associate General Counsel
 Frontier
 180 South Clinton Avenue
 Rochester, N.Y. 14646-0700

Dear Gregg:

This letter is written on behalf of Ben Lomand Communications, Inc. ("BLC") and follows-up both the correspondence you sent to BLC on May 2, 2002 and my voice mail message to you. At the outset, I want to reiterate what I indicated to you in my phone message: BLC has not willfully or intentionally utilized any facility or property of Citizens in any manner that is inconsistent with the terms and conditions of the existing interconnection agreement between the companies and all applicable rules, regulations, and law.

The claims of wrong-doing made against BLC by local staff members of Citizens prompted an internal review of all related service provisions by BLC to ensure that the practices and actions of BLC staff and service representatives were not in error. Your letter to BLC prompted a call to our office to review and discuss the relevant FCC rule sections regarding demarcation points in a multiunit premise within the context of the serious allegations raised by Citizens. In connection with that discussion, we also reviewed and discussed with BLC § 3.5.10 of the interconnection agreement between BLC and Citizens ("Access to the Network Interface Device").

During our discussion of this matter, the representatives of BLC presented the factual scenarios related to the specific instances that were the subject of the claims raised by Citizens' staff in their calls to BLC. Based on our understanding of the facts, the applicable FCC rules and the effective interconnection agreement, we are convinced that BLC's practices and actions are in compliance with all applicable rules, regulations and law. Nonetheless, both BLC and we agree that we may be unintentionally mistaken or unaware of a fact that would change our analysis.

EXHIBIT

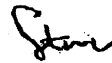
2

Page 2

BLC believes, however, that the claims and allegations that have been made by your company's local staff are most likely reflective of the competitive pressures on individual operating personnel who may not be fully familiar with the applicable FCC rules and the relevant sections of the interconnection agreement. BLC staff representatives believe that the allegations and claims made by Citizens constitute harassment intended to distract BLC's resources from its competitive endeavor. Accordingly BLC respectfully asks that you review the matter with your staff and provide a description of any specific circumstance where, after your review, you still believe that BLC has in any way acted contrary to applicable rules, regulations, law and the pertinent sections of the interconnection agreement between the parties.

In the event that BLC is incorrect in its analysis in any way or with respect to any instance, BLC stands ready, willing and able to act promptly to remedy any specific concern brought to its attention. Please let me know at your convenience the results of your review in order that we might discuss how best to resolve this matter between BLC and Citizens fully and in a mutually satisfactory manner without the necessity of formal processes, if possible.

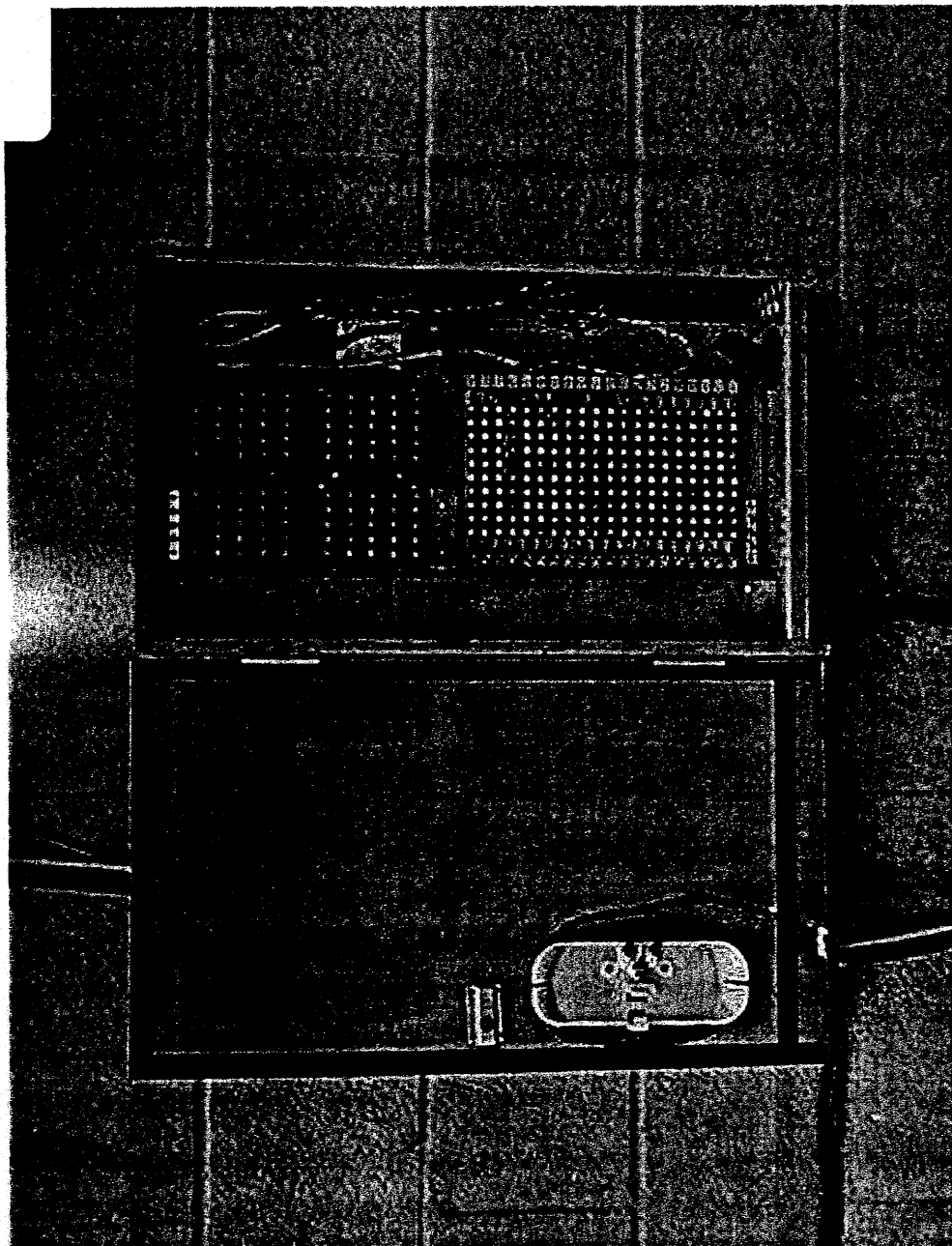
Sincerely,



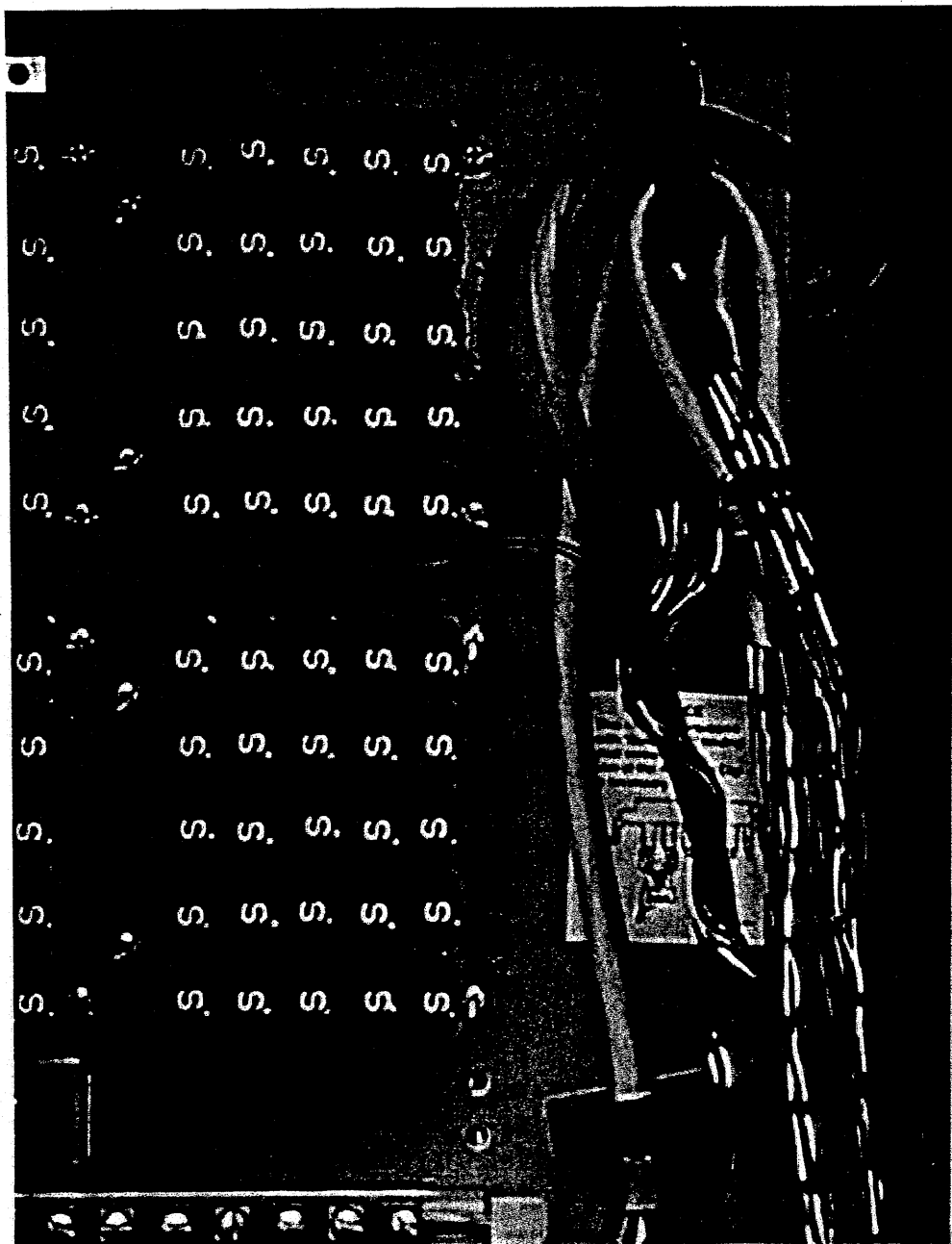
Stephen G. Kraskin

cc: Mr. Levoy Knowles

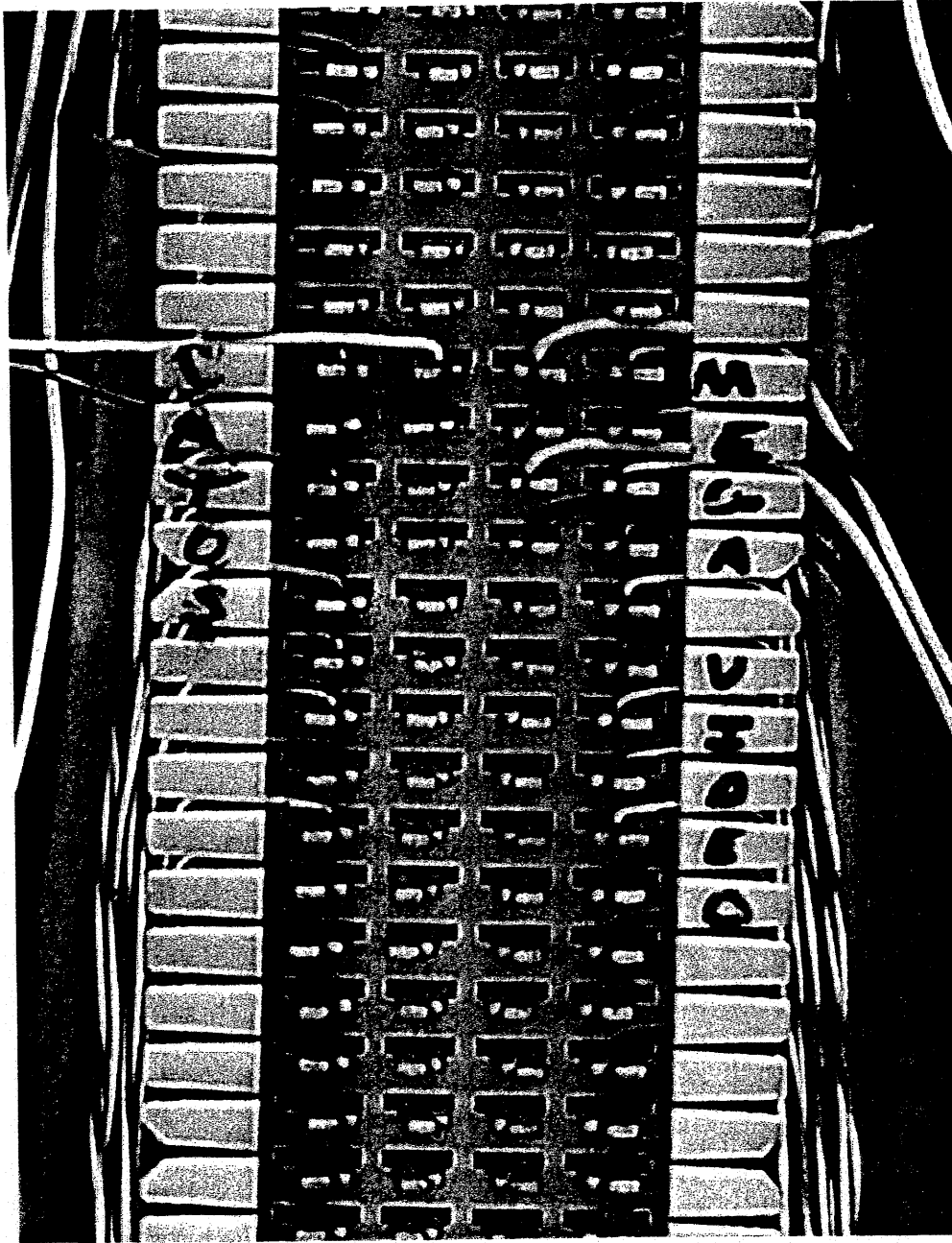
EXHIBIT 7



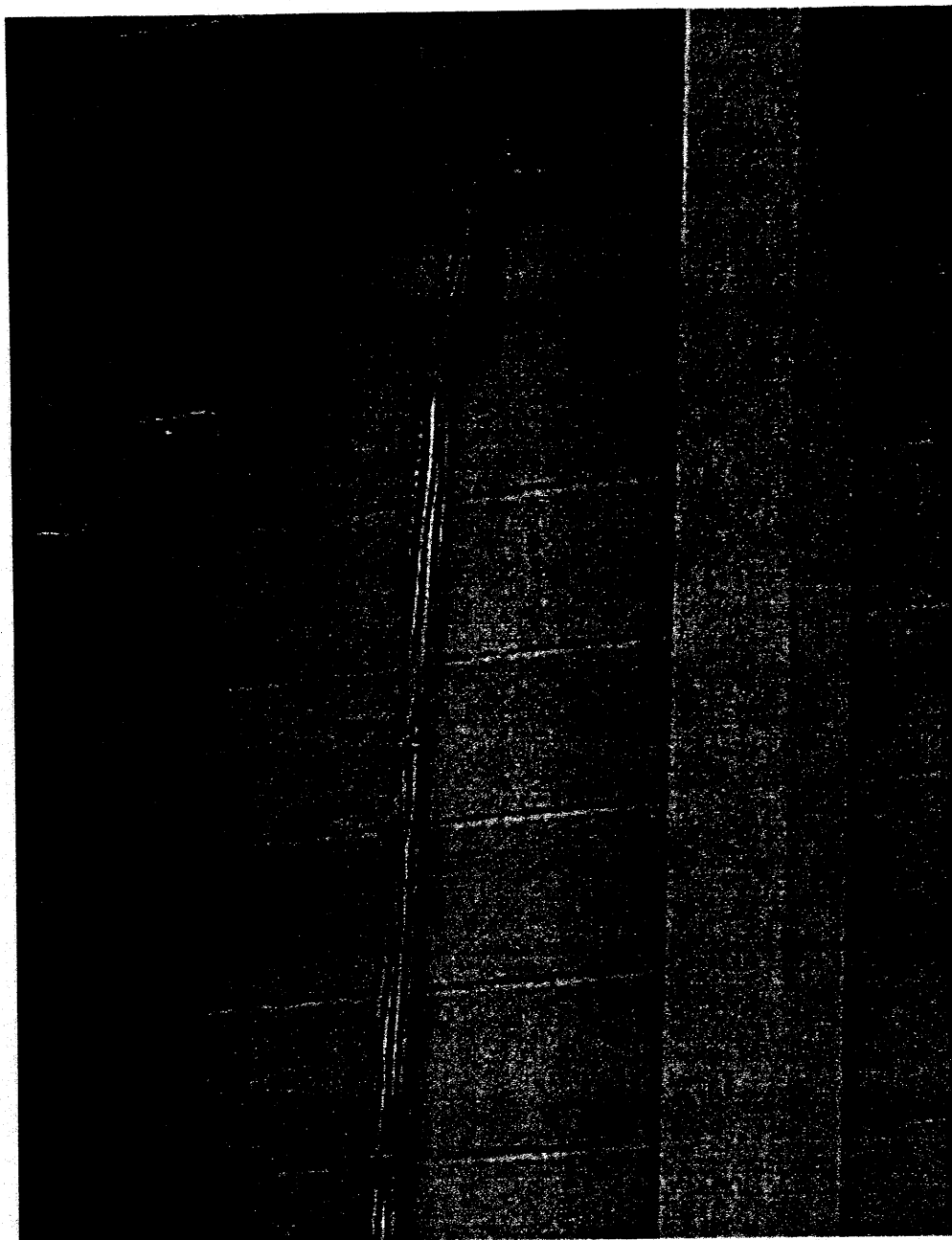
This shot shows a BLC terminal with three 25 pair house cables running into it, one of which belongs to Citizens Communications that had been cut off and redirected into their terminal.



This is a shot of the same terminal that shows Citizens Communications 25 pair cable
"gray" inside BLC terminal.

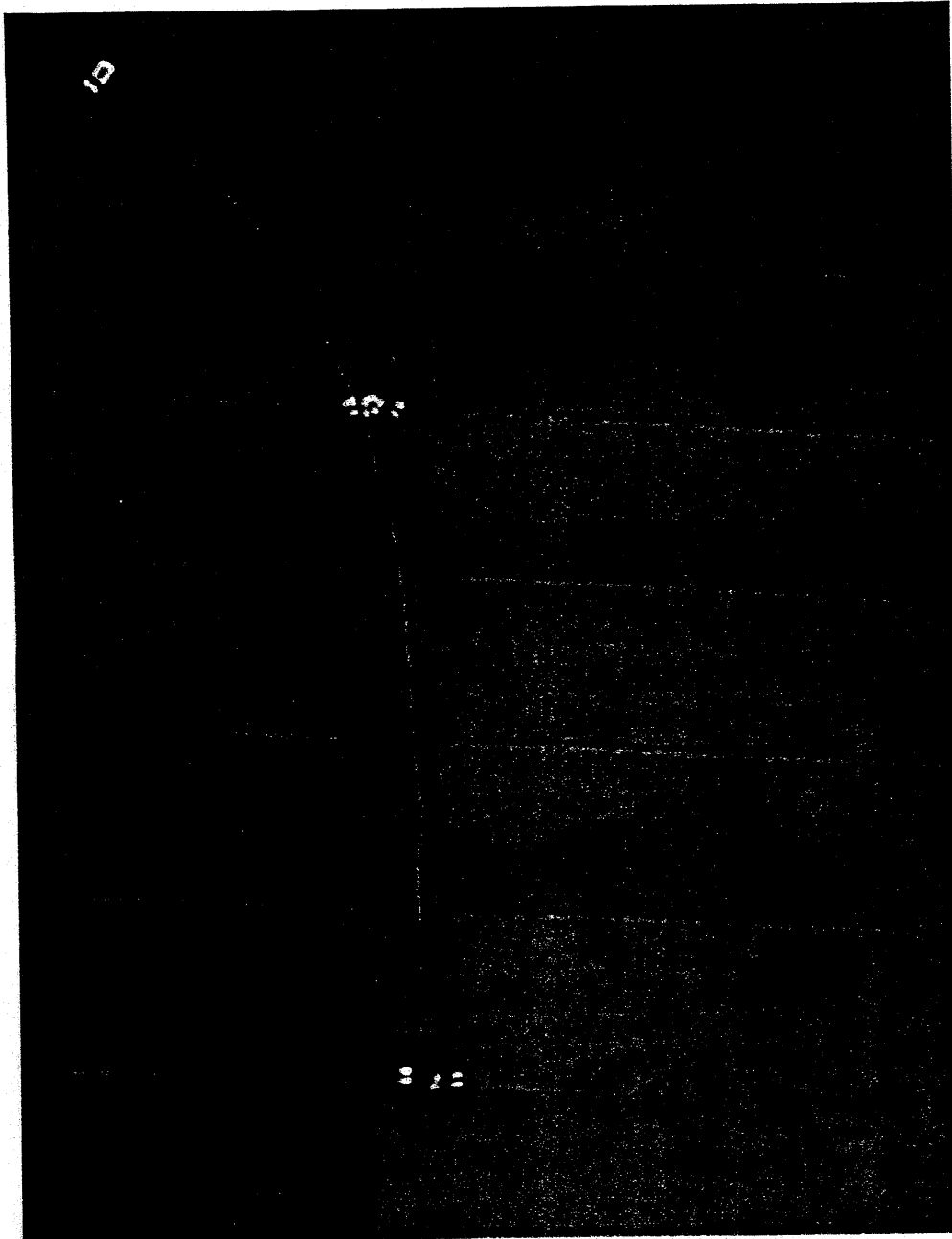


BLC
This shot shows Citizens Communications 66E Blocks with customer names.

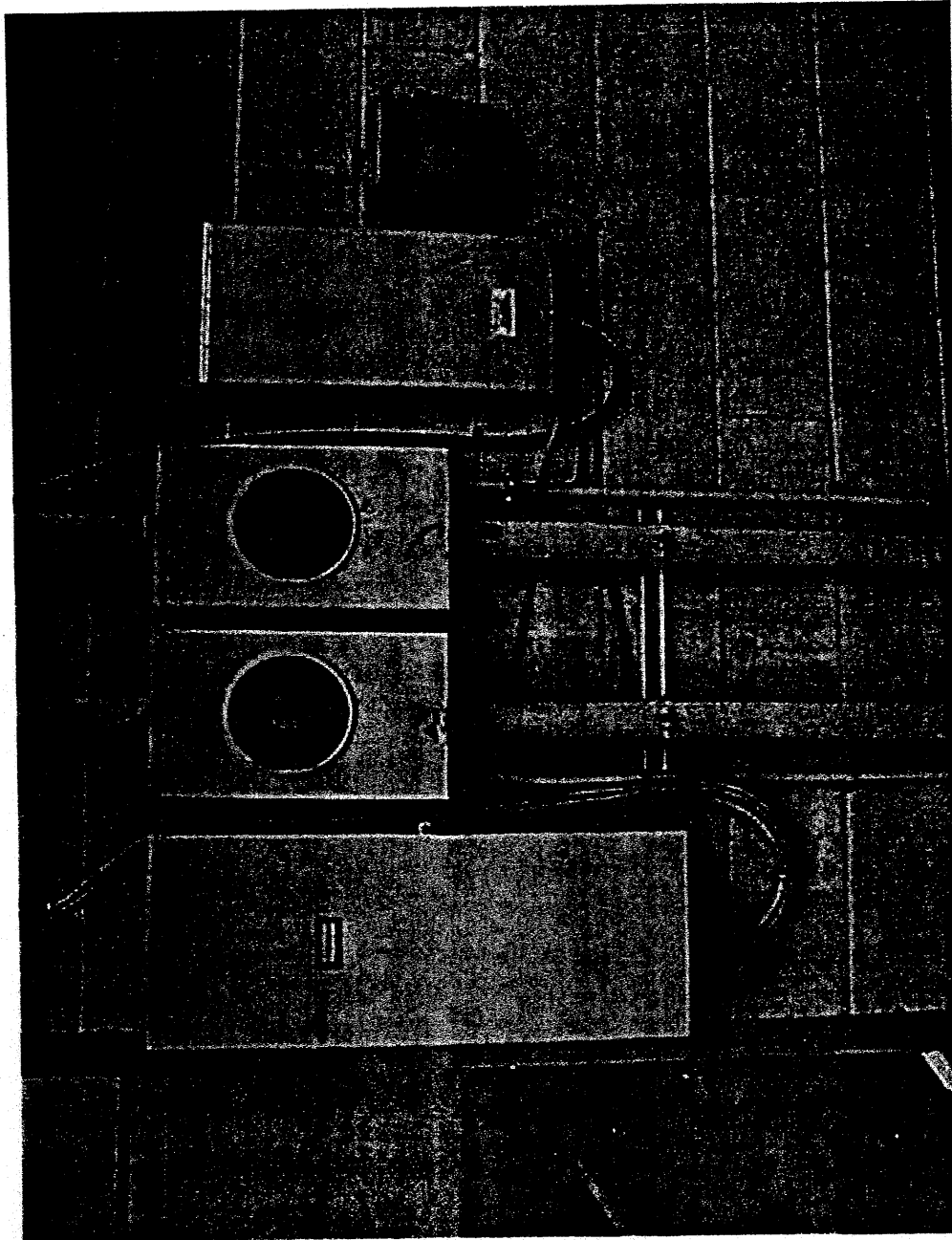


This shot shows other Citizens Communications 25 pair cables from our terminal running to multiple location at this Mall site.

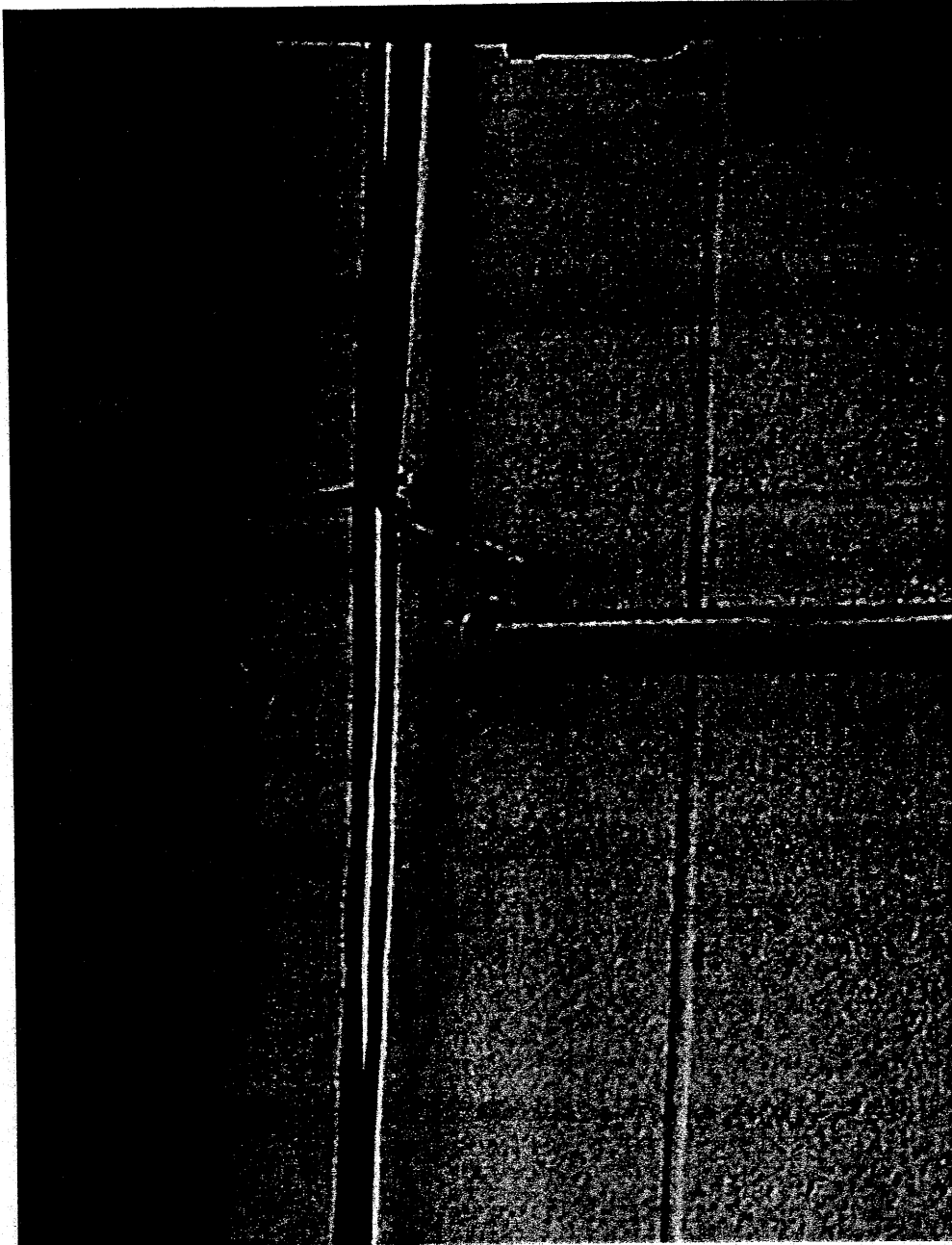
REAR OF BUILDING



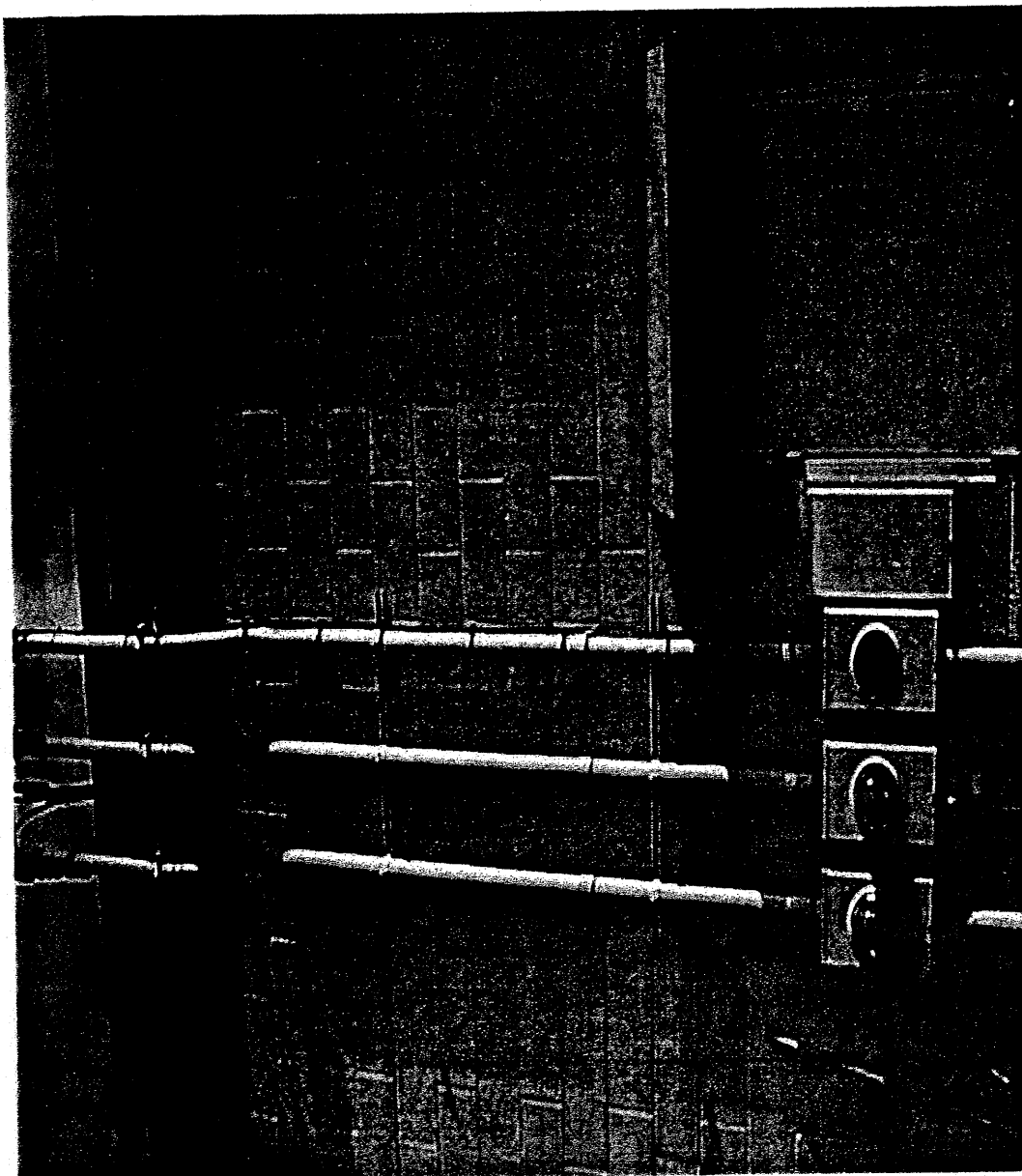
This shows two other Citizens Communications cables that have been cut off and are now running down tied to BLC cable into BLC terminal.



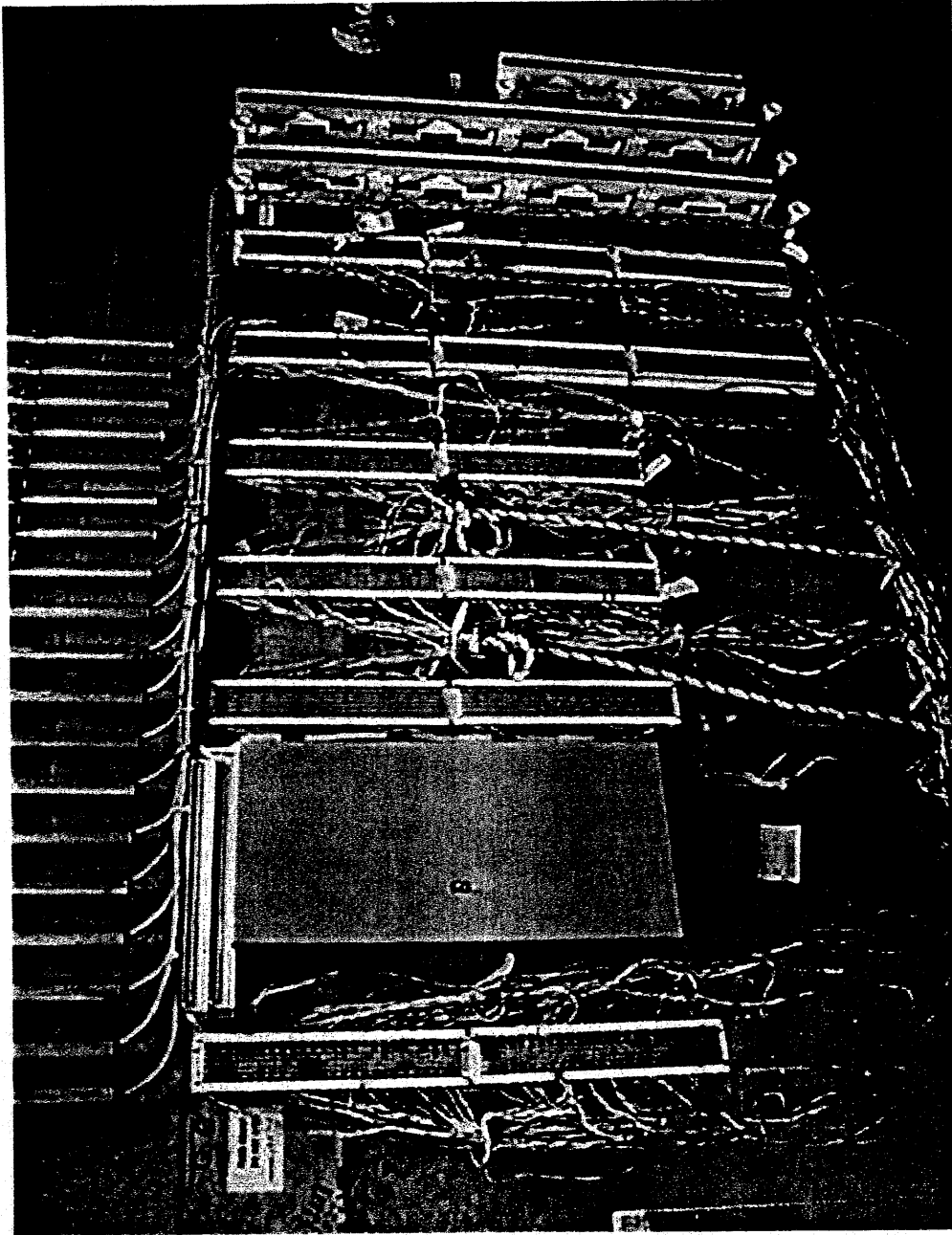
This shows yet another location at this Mall that has Citizens Communications and BLC terminals side by side with a Citizens Communications 25 pair cable redirected into the BLC terminal



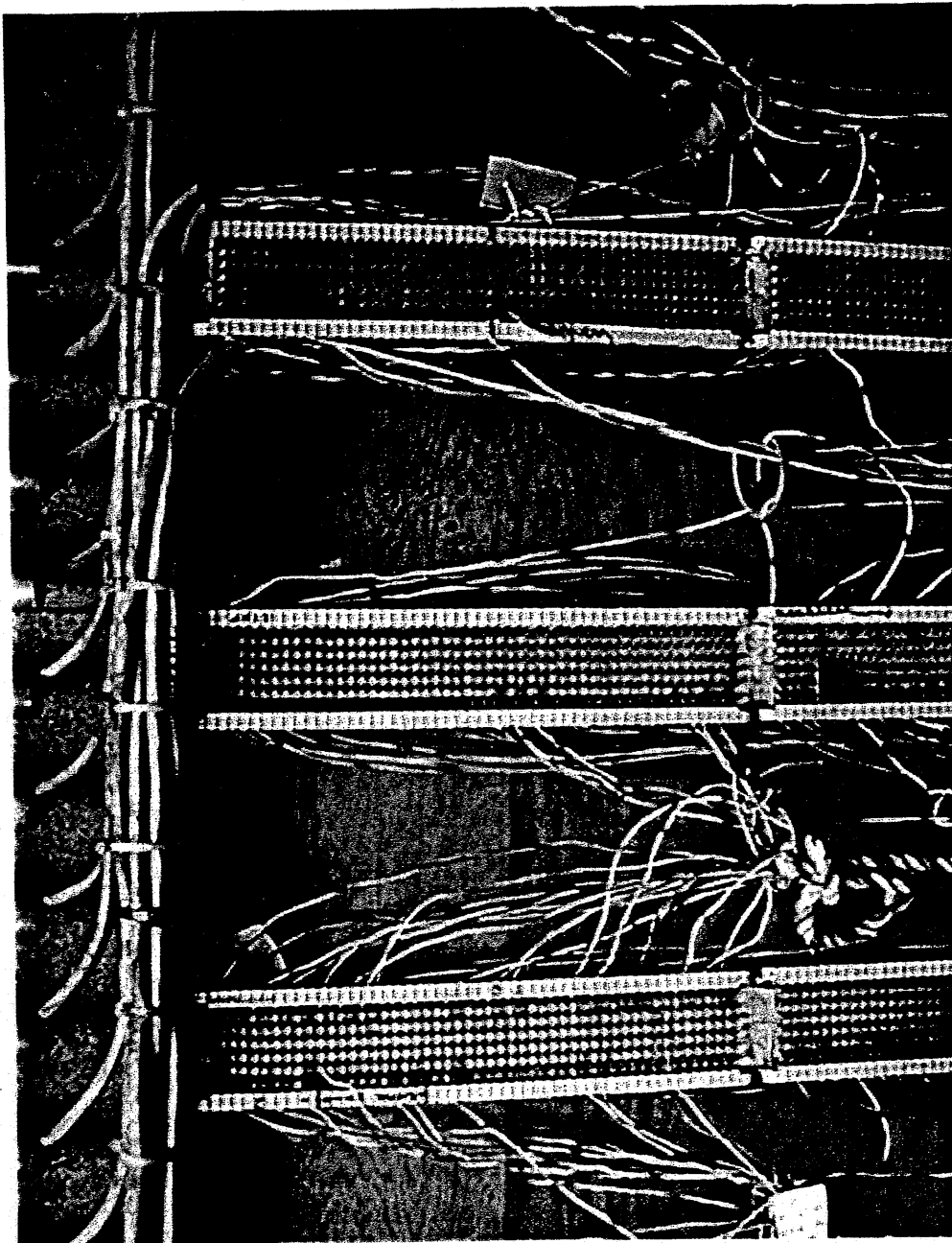
This shot shows one of the Citizens Communications 25 pair cables that BLC has cut off and taped up after redirecting the other end to their terminal.



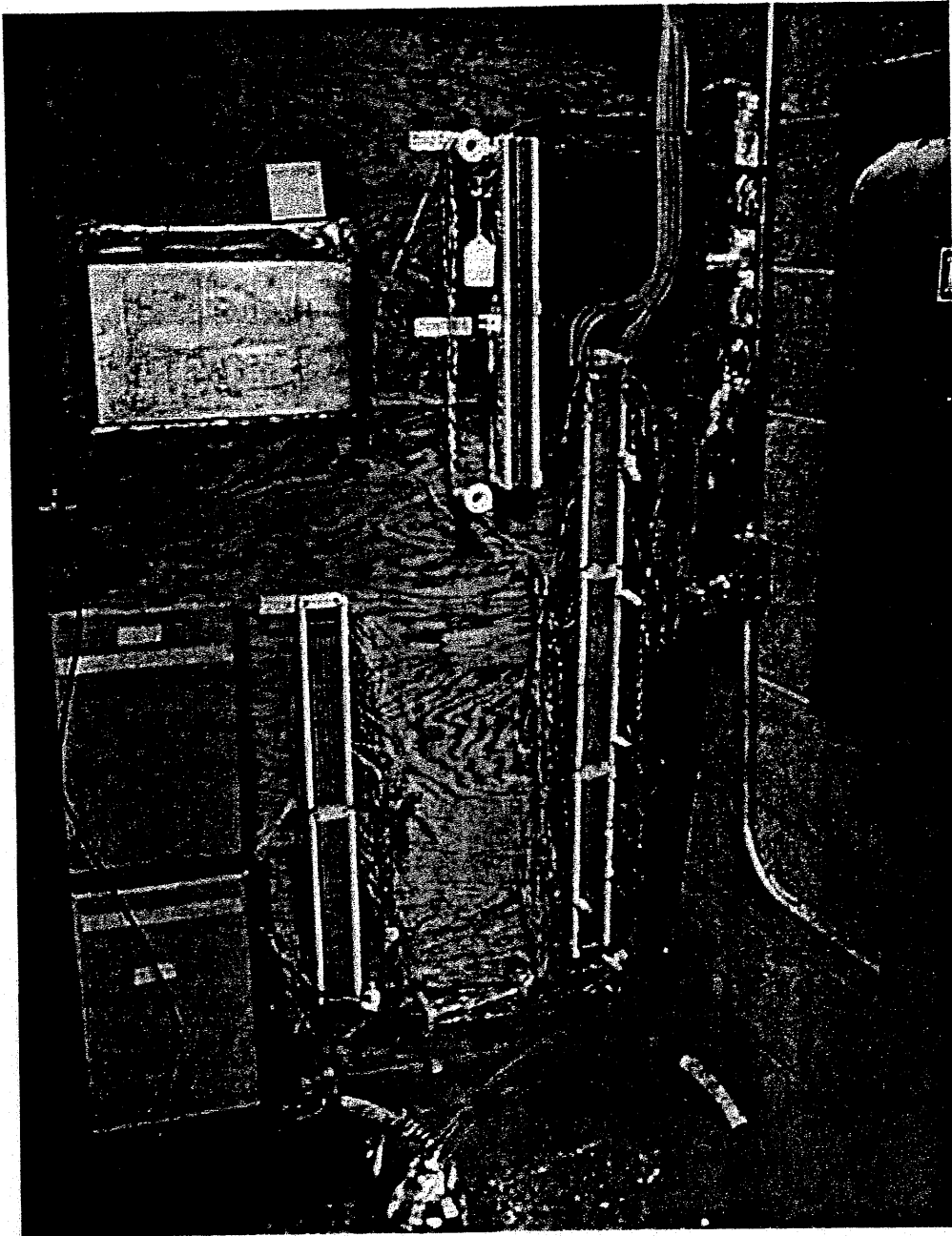
This shot shows the other end of the Citizens Communications 25 pair cable in MVC-101.JPG running down a mast pipe into a BLC terminal. HOUSE CABLE



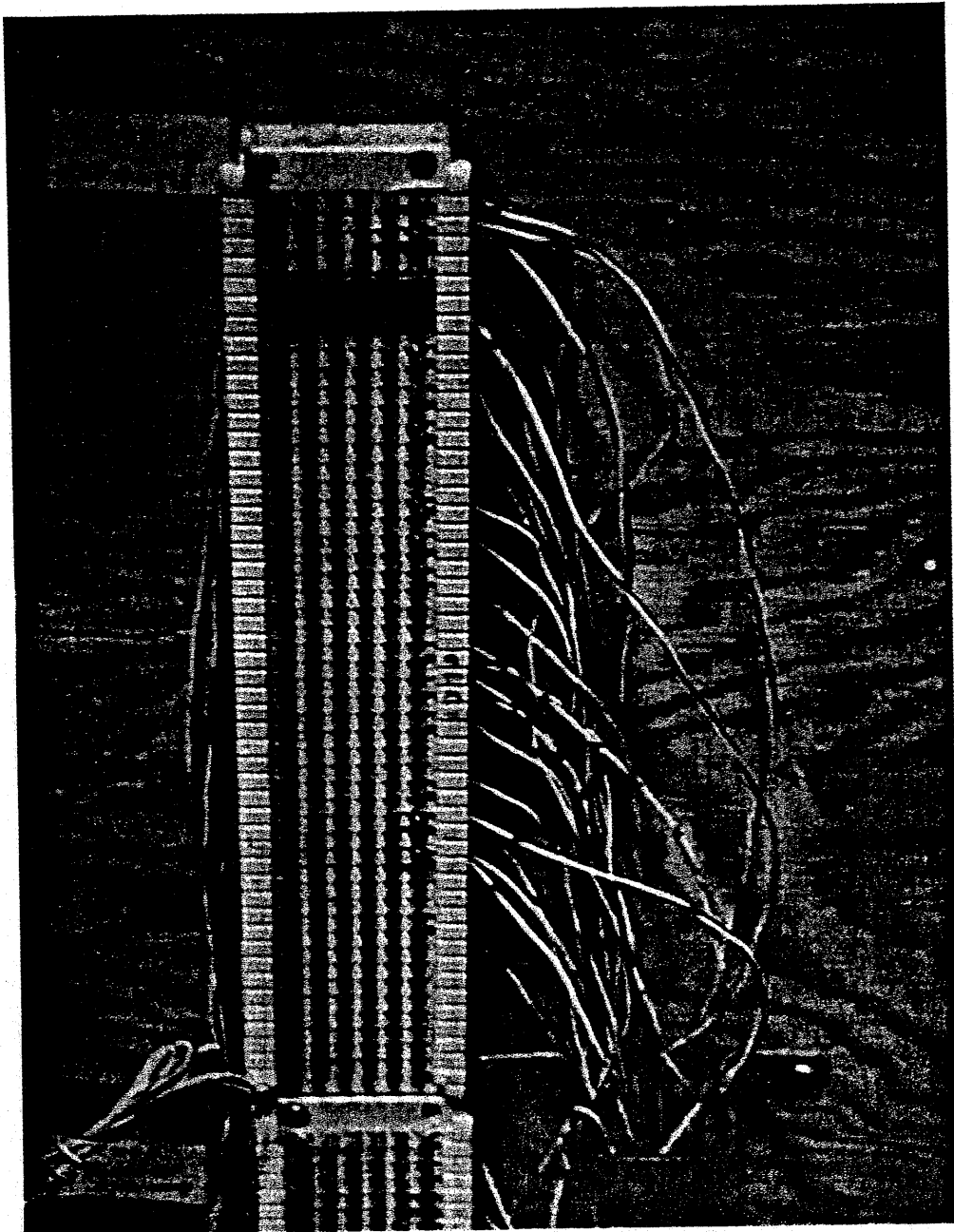
This shot is at the Kmart Mall and shows the 66E blocks that Citizens communications 25 pair cables are terminated on. It also shows the multiple Citizens Communications cable and conduits running to customer locations within the Mall.



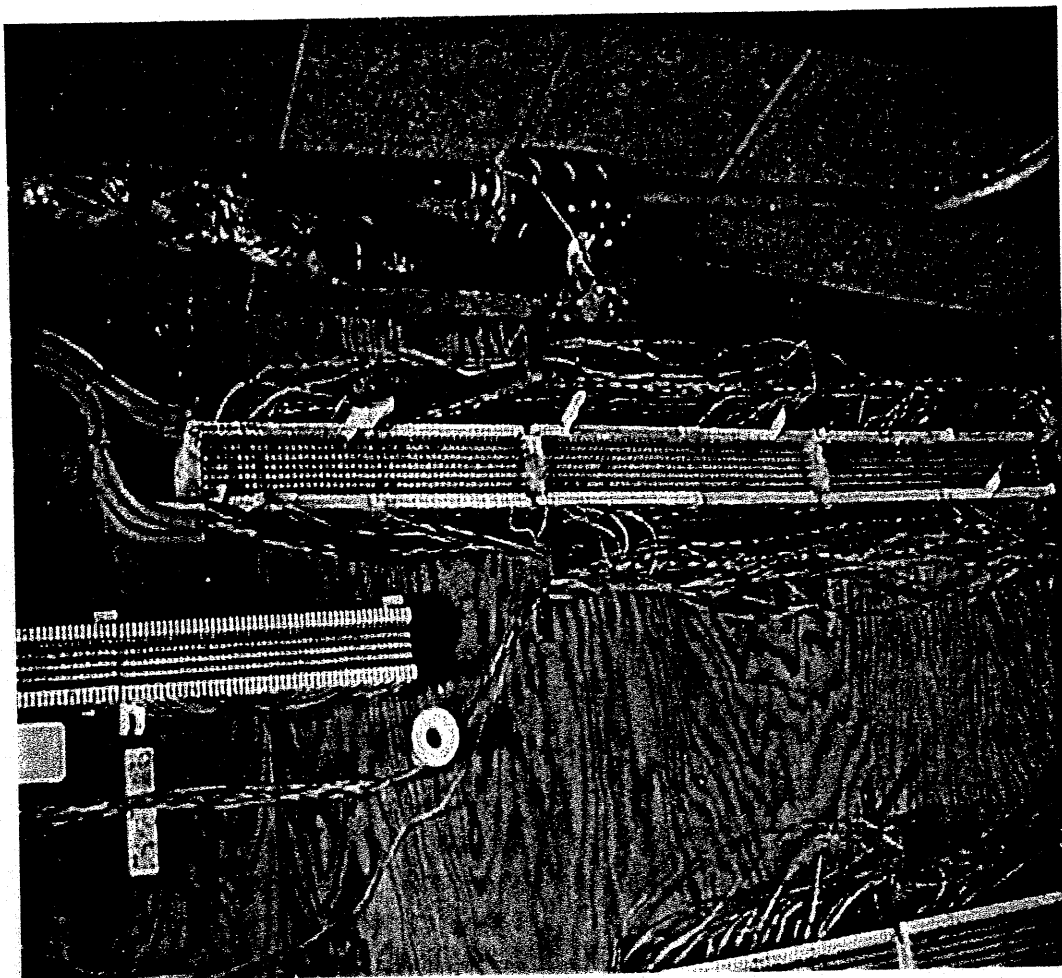
Second shot of the same area showing Citizens Communications 25 pair cables from conduits with Citizens Communications jumpers and **Bleed jumpers running to Citizens Communications cable.**



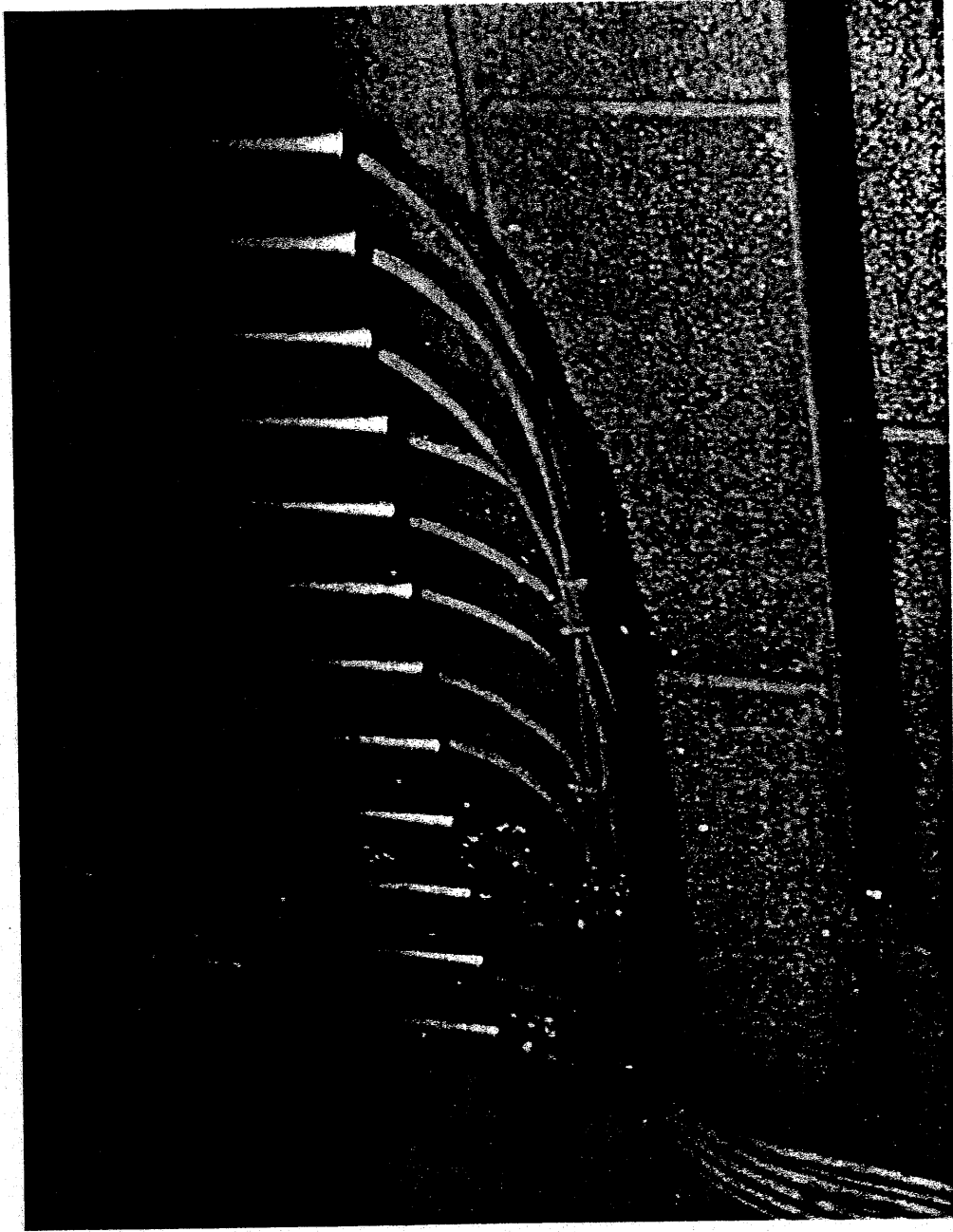
Shows Citizens communications 25 pair cables in another part of the Mall with the 66E blocks.



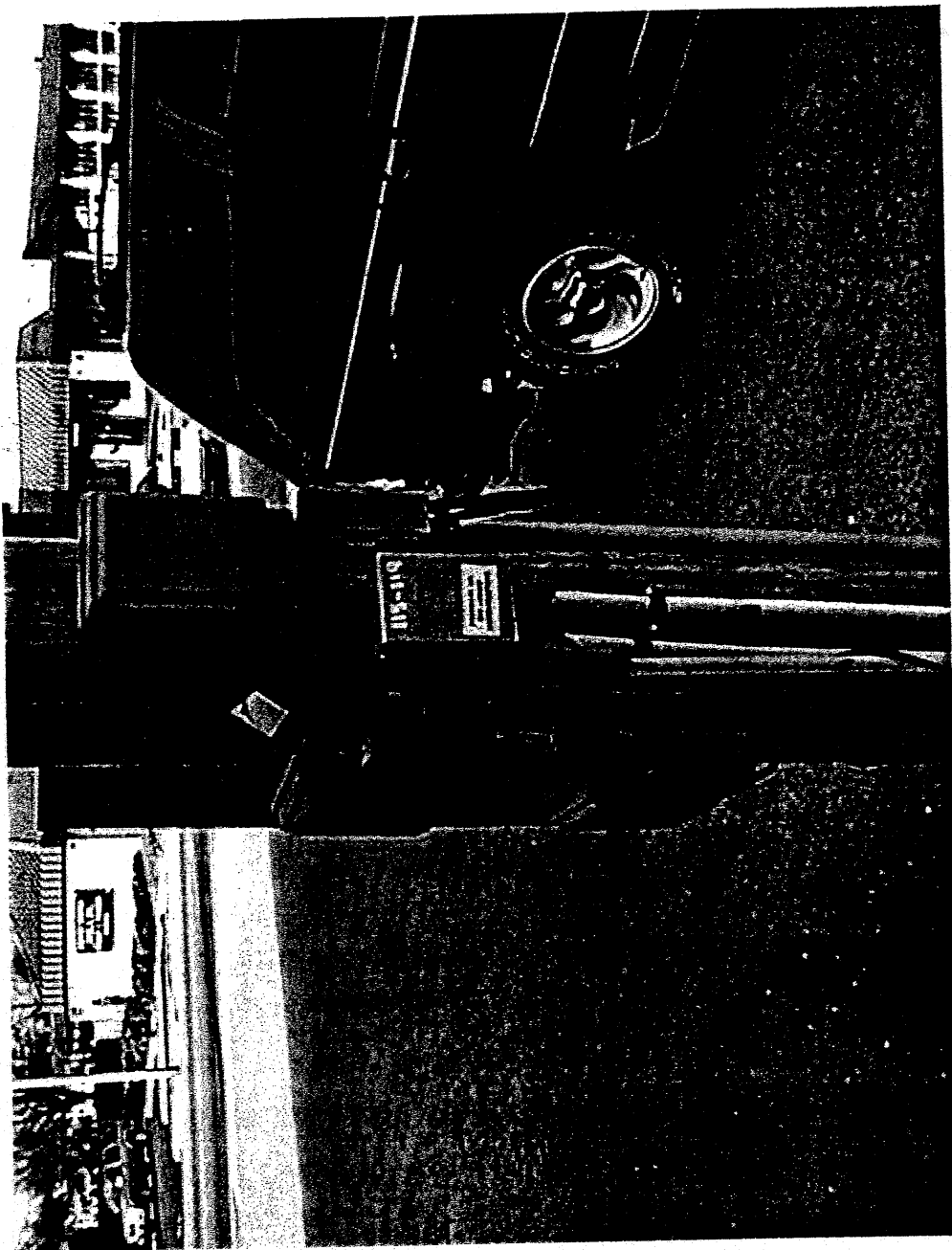
Shows a closer shot of the 66E blocks of Citizens Communications with Citizens Communications jumpers in Red and B/C jumpers in blues



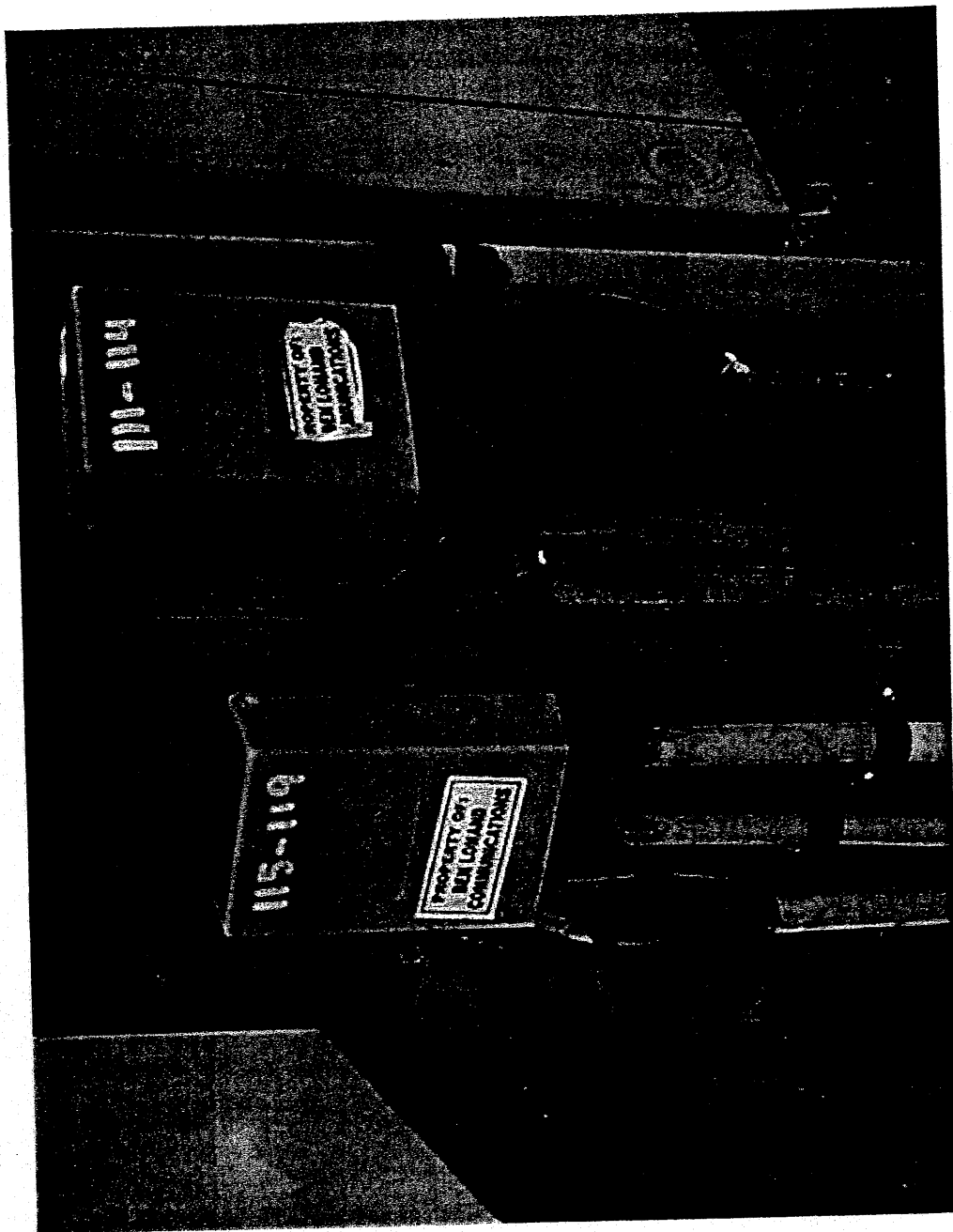
Shows another shot of BLC jumpers running to Citizens Communications 66E block and cables. BLC JUMPERS ON CITIZENS BLOCKS / HOUSE CABLE



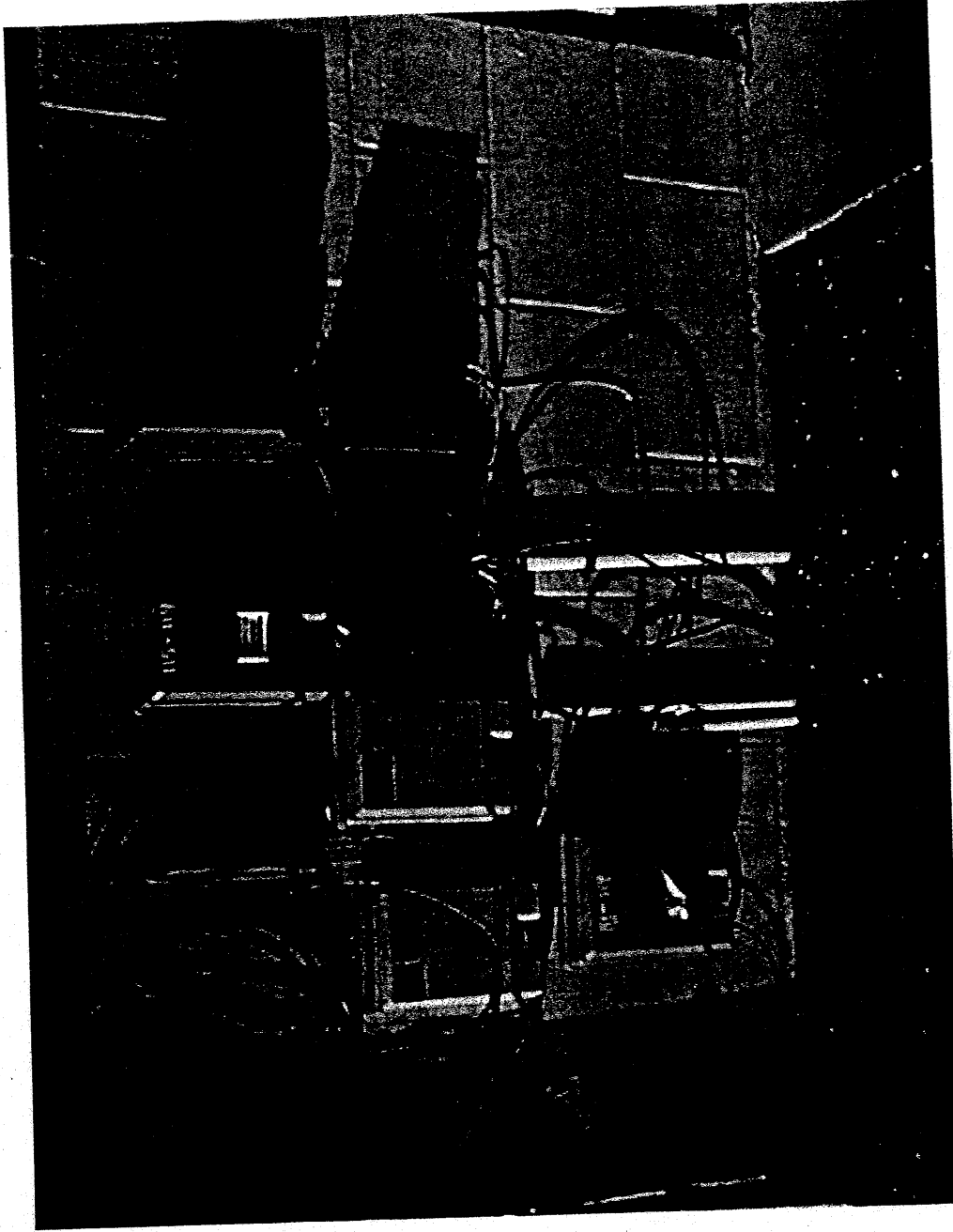
Shows Citizens Communications 25 pair cables and conduit running to multiple locations in the Mall.



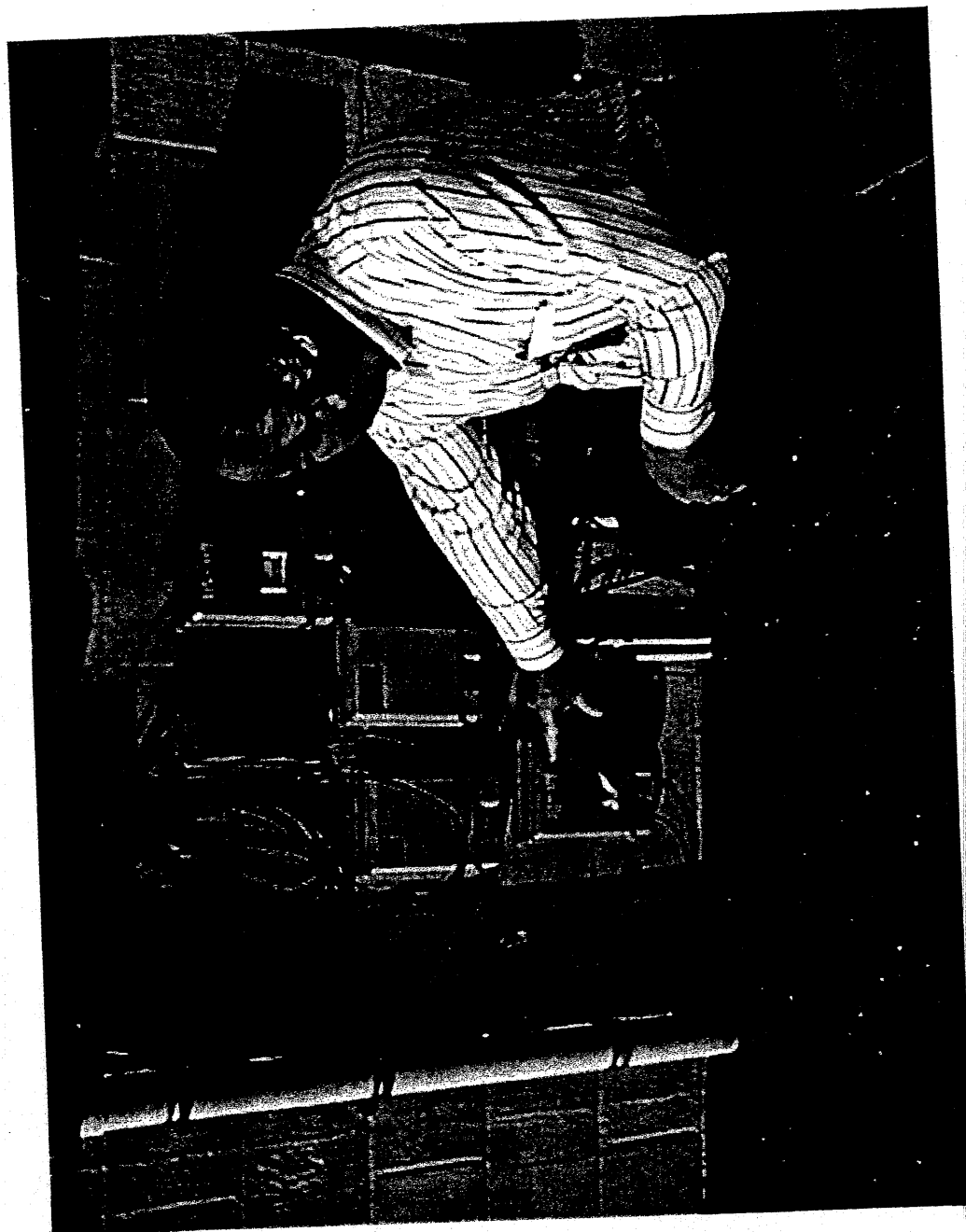
This shot is at a location that BLC took Citizens Communications **buried drops from**
our terminal and placed them into theirs



Same shot as MVC-013 showing Citizens Communications buried drops running into BLC terminals.



This is ~~an aerial view showing~~ Citizens Communications buried drops that were taken out of our NIDS and moved to BLCs.



This shot shows the other end of the buried drops going into BLCNIDS.